

# Improvements in Data Management Needed at the Commission of Pardons and Parole:

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Collaboration With the Department of  
Correction Could Significantly Advance Efforts

May 2001

Office of Performance Evaluations  
Idaho State Legislature



Report 01-03

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Office of Performance Evaluations  
700 W. State Street, Lower Level, Suite 10



# Office of Performance Evaluations Idaho State Legislature

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May 9, 2001

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Members, Joint Legislative Oversight Committee  
Idaho State Legislature

At the direction of the Joint Legislative Oversight Committee, we have completed our evaluation of the Commission of Pardons and Parole's data management and the Department of Correction's proposed acquisition of a new offender information system.

I respectfully submit our completed evaluation for your review and consideration. Our evaluation revealed that the commission manages a great deal of data, keeping and summarizing all of it by hand. Because this system is inefficient and time consuming, and poses a number of risks, we recommend steps that could be taken to make improvements – some of which could be implemented with few additional resources. We believe the hiring of an information technology professional at the commission is urgent and critical if improvements are to occur.

Also, we conclude that communication and collaboration between the Department of Correction and the commission has been weak and ineffective, leading to difficulties in adequately integrating data systems. Although the department is proposing to purchase a new offender information system (which currently holds about half of the information the commission ultimately needs, though not in a format in which the commission can easily use it), the proposed system will not meet more of the commission's data needs.

Finally, we caution that the department's acquisition of a new system requires continued review to avoid cost overruns and system setbacks. Also, we recommend the department work closely with the Division of Purchasing in pursuing this system and obtain a legal opinion from the State of Utah, the proposed vendor, to ensure the purchase could move forward as proposed.

Throughout this evaluation, we received the full cooperation of commission and department staff. The report was researched and written by Eric Milstead (lead), Paul Headlee, and Lewissa Swanson, with assistance from Patty Burke and other Office of Performance Evaluations staff.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy Van Maren".  
Nancy Van Maren

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# Improvements in Data Management Needed at the Commission of Pardons and Parole: Collaboration With the Department of Correction Could Significantly Advance Efforts

## INTRODUCTION

In January 2001, the Office of Performance Evaluations began work on an evaluation of parole release practices. In March 2001, at the request of the Joint Legislative Oversight Committee, we delayed further work on this evaluation until questions could be answered about the Commission of Pardons and Parole's data system and its interaction with the Department of Correction's offender information system. Instead, the committee requested an evaluation of the commission's data management, the department's role in parole-related data management, and the department's proposed purchase of a new offender information system.

We asked:

- To what extent is the Commission of Pardons and Parole's data system automated and able to generate timely and accurate parole-related reports?
- To what extent do the commission and the Department of Correction communicate and collaborate to effectively track offender information needed by both entities?
- To what extent has the department considered commission data needs in pursuing a new offender information system? How do projected costs for a new system compare to those experienced in other states?
- How could the commission best automate the data it maintains and what costs could be involved?

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**We reviewed the commission's data management, the department's role in parole data management, and the proposed purchase of a new system.**

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To answer these questions, we:

- Interviewed commission personnel and reviewed commission data collection and reporting systems;
- Interviewed department information services personnel and reviewed parole-related functions of the department's offender information system;
- Reviewed department information technology committee minutes for calendar years 1993 through 2001;
- Interviewed officials from seven states regarding their offender information systems, spoke with officials from three additional states with recently upgraded offender information systems, and interviewed the developer of the "Utah system";
- Reviewed department grant applications related to a new offender information system, and the grantor's comments on the first of these applications, which was denied funding;
- Reviewed state and federal purchasing law and regulations, and contracted with outside legal counsel with expertise in purchasing law to provide legal analysis of the department's proposed purchase of a new offender information system.

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**The commission is legally charged with duties related to offender pardons and parole.**

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### **The Commission's and Department of Correction's Functions are Interrelated**

The Idaho Constitution created the Board of Correction and endowed it with the control, direction, and management of state penitentiaries and adult probation and parole.<sup>1</sup> Subsequently, the Legislature created the Department of Correction, statutorily consisting of the Board of Correction and the Commission of Pardons and Parole.<sup>2</sup> The 1999 Legislature directed that the Governor appoint the five-member Commission of Pardons and Parole as well as the commission's executive director.<sup>3</sup> The Legislature also authorized the Board of Correction to transfer all necessary powers to the commission to fulfill legal pardons and parole duties.<sup>4</sup>

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<sup>1</sup> Idaho Constitution, Art. X, Sec. 5.

<sup>2</sup> IDAHO CODE § 20-201 (Supp. 2000).

<sup>3</sup> IDAHO CODE § 20-210 (Supp. 2000). Commissioners serve three-year terms and may be re-appointed by the Governor.

<sup>4</sup> IDAHO CODE § 20-201A (Supp. 2000).

In practice, the commission makes determinations regarding an offender's release (parole) during the indeterminate part of his or her sentence.<sup>5</sup> Under Idaho Code, commissioners may grant parole when they believe the offender is able and willing to fulfill the obligations of a law-abiding citizen.<sup>6</sup> Typically, commissioners sit in panels of three (although quarterly as a panel of five) to hear and act upon inmates' requests for parole. Commissioners meet monthly, hearing many cases: during the three calendar years from 1998 through 2000, the commission ruled on more than 4,000 parole-related cases. Consequently, the commission generates a great deal of records, including, but not limited to, parole hearing schedules, parole eligibility dates, parole decisions and the basis for those decisions, parole plans and parole conditions, tentative parole dates, and victim information.

The commission shares much of this information with the Department of Correction and, in turn, relies on a great deal of offender information it gets from the department. The two entities comprise separate, but interrelated, aspects of an offender's sentence.<sup>7</sup> The department is responsible for, among other things, offender confinement and offender programming. In turn, the commission determines if and when an offender may be paroled and establishes behavior conditions for the parolee. The department then monitors parolees. The commission and the department interact prior to every parole hearing, for parole revocation hearings, and when discharging parolees. Because offenders move between the two during their sentences, the commission and the department are reliant upon each other for offender data.

The Department of Correction's offender information system is the principal repository of offender data. Information sharing between the department and the commission is directly affected by the efficiency and utility of this system. Because both the commission and the department enter and use data on the

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**During 1998–2000, the commission ruled on more than 4,000 parole cases, generating a great deal of data.**

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**The commission and the department rely on each other's information, much of which is kept in the department's data system.**

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<sup>5</sup> IDAHO CODE § 19-2513 (1997). The indeterminate portion of a sentence is imposed by a court to run subsequently to the minimum sentence imposed. It is during this period that an offender may be paroled.

<sup>6</sup> IDAHO CODE § 20-223 (Supp. 2000).

<sup>7</sup> Having functionally separate corrections and parole entities with interrelated functions is not unique to Idaho. According to the National Institute of Corrections, 47 of 51 jurisdictions have paroling entities either independent or linked only for budget/administrative purposes to their respective departments of correction.

department's system, modifications and upgrades to the system are important to the commission.

### **Summary of Conclusions and Recommendations**

#### ***Commission's Data Management Could Be Strengthened by Improved Interaction With Department of Correction***

We conclude that improvements in the commission's almost entirely paper system of recording and summarizing data are needed to ensure that data are accurate and to reduce the risk of error in decisions based upon these data. We also conclude that while all the commission's data are hand-recorded, close to half of these data could be obtained from the department in automated form, improving inefficiency in data management. Also, while the Department of Correction's offender information system does not presently provide all the data fields the commission needs to fully automate its data, existing system capacity could be used more effectively. We also conclude that lack of effective communication about data between the department and the commission has contributed to inadequate data system integration.

Also, in terms of the commission's data needs, the department's proposed new offender information system (the "Utah system") is essentially the same as the department's current system. In addition, the department risked encountering legal issues and cost overruns, including unresolved multi-state participation agreements and system capacity and compatibility issues, in acquiring the system as proposed. Further, the department appears to have underestimated project costs associated with system development and maintenance, although offender information costs are difficult to project. Finally, we conclude the purchase of the Utah system would require an authorized exception to competitive bidding requirements and that it is unclear whether the proposed purchase is consistent with Utah purchasing law.

We recommend:

- The Commission of Pardons and Parole hire an information technology professional to adequately and effectively develop parole-related data fields and reports and communicate the commission's data-related needs to the department;



- The commission obtain needed data from the department's offender information system in a useable electronic format and maximize its use of the system's existing capacity;
- The commission automate the remainder of its data in a manner compatible with downloads it receives from the department's offender information system;
- The commission improve participation in the department's information technology committees and the commission and department improve communication about data needs to allow for improved system integration;
- The department more fully identify system costs and compatibility and system-related interstate sharing agreements; and
- The department work closely with the Division of Purchasing, as needed, and seek Utah Attorney General guidance before entering into any transaction to purchase Utah's system.

## **THE COMMISSION'S DATA MANAGEMENT SYSTEM**

### **The Commission's Paper System for Managing Data Poses Several Risks**

We examined the data kept by the Commission of Pardons and Parole and conducted interviews with commission staff to learn how the commission keeps its data. We found:

- **The Commission of Pardons and Parole keeps and summarizes all data in at least eight unique hand-written data recording systems, using index cards, steno notepads, and paper ledger sheets.**

As noted, the commission relies on and generates a great deal of data to do its job. These data range from crime and sentencing information about each offender, to data used in making a parole determination, to the parole outcomes themselves. The commission pulls some of the needed information from screens of the department's offender information system (called the

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**The  
commission  
maintains  
nearly all data  
by hand.**

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Offender Tracking System), pulls some of the other needed information from existing reports, and generates some of its data itself, recording data from all these sources onto paper in eight hand-written recording systems, including:

- At least three hand-drawn ledgers—used to record some original data (such as parole outcomes) and summarize other sources of data;
- Two index card files—used to track an offender from the granting of a tentative parole date through release and dates and actions related to those who violate parole; and
- Three steno notepads—used to complement the index card files. One records disciplinary offense reports for offenders granted a tentative parole date, another tracks warrants issued for parolees, and the third records absentia papers sent out and signed by parole violators.

We also found:

- **The Commission of Pardons and Parole’s data reporting system consists of monthly summaries of offender case data using “tick” marks and color-coding on hand-drawn ledgers.**

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**For reporting purposes, the commission summarizes data in a complex set of hand-written summary sheets, using tick marks and colored ink.**

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To respond to detailed questions about parole-related activities from Legislators, executive officials, and the public, commission staff compile the data from several original sources into summary documents. These documents detail the many factors that may go into or come out of commission decisions. For example, the summary documents track the number of hearing officer recommendations commissioners adopt in parole decisions and the number of warning letters sent to some offenders on parole. The commission uses tick marks to transfer case data onto summary sheets. Given the various ledgers involved, specific information is transferred at least three times before being totaled into a reportable format.

The commission’s summaries track 48 separate pieces of information, which may be described in 247 different ways (variables). Given this volume of summary data, the recording system is complex. To “code” the written information and ensure clarity, commission staff record the data with different colors of ink. Figure 1 is a copy of a small portion of one summary sheet, showing results of offenders’ first parole hearings in a given time period. The columns summarize the number of paroles granted or

**Figure 1: Example of Current Data Management Efforts at the Commission of Pardons and Parole**

	Grant		Deny		Parole El.
	PE/6		PE/6		w/i 6 months
Initial Hearing					
	I				
	21182	49477	15127	38350	36
	70 659		53 477		<del>36</del>

Source: Commission of Pardons and Parole statistical information sheet for December 2000, 2.

denied parole and the number of these who were parole-eligible within the first six months of incarceration. The first row of numbers shows the totals of the tick marks above, along with year-to-date totals. The second row is a summary of those columns immediately above.

We assessed each of the commission's forms for data recording and reporting and met extensively with commission staff. We found:

- **The Commission of Pardons and Parole's data recording and reporting systems are inadequate to ensure the accuracy of decisions that rely on this data and they pose other risks.**

The commission's data system is primarily maintained by the executive director and three other commission staff who do not have a comprehensive understanding of each others' systems. Each of the three staff members knows her specific area and limited information about the others' systems.<sup>8</sup> Only the executive director understands the hand-written summary and reporting systems.

However, over reliance on individuals—and, in the case of summary data, one individual—rather than systems, particularly when there is little cross training, can increase the likelihood of

**Only one individual has a comprehensive knowledge of the commission's data system, increasing overall risk.**

<sup>8</sup> An additional staff person pulls data from the department's offender information system.

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**A commission official told us the current system had already led to the untimely release of offenders.**

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**Any analysis of commission data is limited, time-consuming, and inefficient because it is hand-written.**

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mistakes and incomplete work during staff illness or turnover. In fact, according to the executive director, staff illness has led to the untimely release of offenders on a few occasions. For example, in early 2001, some offenders were released on parole one-to-seven days beyond their release date due to staff illness.<sup>9</sup>

Also, the number of variables involved and the complexity of the resulting system as well as the reliance on hand summaries may lead to mistakes in calculating the information correctly. Significant instruction is required to follow the several shorthand mechanisms that have developed to track so many pieces of information about each offender.<sup>10</sup>

In addition, it is difficult or impossible to verify the accuracy of the hand-written summary reporting system because the tick marks cannot be traced back to specific individuals. Similarly, the reporting system has no querying ability. Any analysis of the data must be performed by hand, resulting in a time-consuming effort that requires access to paper documents to verify information.<sup>11</sup>

Further, the transfer of case data onto summary sheets increases the likelihood of error. And, a study of the Oregon Board of Parole and Post-Prison Supervision stated that inaccurate information may result in the premature release of offenders who are still considered a menace to society, an offender serving a longer sentence than intended, and undue stress for the victims.<sup>12</sup>

In addition, under the current system, safeguards against internal manipulation of data are weak, as several staff have easy access to files and, unlike a database system, there is no easy way to know who viewed or changed information in the hand written data systems.<sup>13</sup> According to sources we consulted in nine other

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<sup>9</sup> The executive director told us that the commission has begun to cross-train employees so this situation will not be repeated.

<sup>10</sup> We developed a three and one-half page glossary of acronyms and shorthand to understand each of the several variables included on the commission's forms.

<sup>11</sup> According to the Information Technology Resources Management Council, systems that rely on paper documents are "archaic and cumbersome." Idaho Information Technology Resources Management Council, *IT Plan*, (visited 3/30/01) <[http://www2.state.id.us/itrmc/stateplan/it\\_plan.htm](http://www2.state.id.us/itrmc/stateplan/it_plan.htm)>, 8.

<sup>12</sup> Oregon Secretary of State, Audits Division, *Board of Parole and Post-Prison Supervision*, No. 93-45 (1993), 4.

<sup>13</sup> The commission appears to have adequate protection against outside manipulation of data through locked files and office policies that prohibit any outside personnel from being in the offices when staff is not present.

**Figure 2: Selected Information System Security Measures Used in Surveyed States**

<u>Type of Security Measure</u>	<u>State<sup>a</sup></u>
User-name and password	All
Assigned user-rights (read/write/restricted access)	All
Management approval for access	MT, NV, UT, WY
Audit trail	CO
Phone block to network	NV
Server locked in control room	NV
No a:/drive or c:/drive at workstations	NV
Limited workstations connected to printer	NV
Committee created to address security needs	UT
Back-up tapes locked in a remote safe	NV

<sup>a</sup> We inquired about security measures from nine states: Arizona, Colorado, Florida, Montana, North Carolina, Nevada, Oregon, Utah, and Wyoming.

Source: Interviews with states' parole boards and departments of correction staff.

states, a variety of security measures may be used to ensure the protection and integrity of electronic information. Figure 2 shows a selection of security measures these states reported using.

### **The Commission's Use of the Department's Offender Information System is Inefficient and Time Consuming**

As noted, the commission relies, in part, on data pulled from the Department of Correction's offender information system.<sup>14</sup> The

<sup>14</sup> The Department of Correction is the custodian of the primary offender information system. Although it uses a fraction of the system's total capacity, the Commission of Pardons and Parole does not contribute financially to the maintenance or operation of the system.

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**The commission relies on the department's automated offender information system for about 77 pieces of information.**

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commission also inputs some information into the system. To evaluate the commission's use of this database, we interviewed commission and department employees, examined forms maintained by the commission, and reviewed documents that outline parole-related data fields and tables on the department's offender information system.

We found:

- **The Commission of Pardons and Parole's use of the Department of Correction's offender information system duplicates effort, is time-consuming, and does not use available capacity.**

To do its work, the Commission of Pardons and Parole pulls approximately 77 pieces of information from the offender information system, called the Offender Tracking System.<sup>15</sup> This information ranges from sentencing information to information about the victims involved, and includes data entered by commission as well as department staff. Commission staff copy this information from computer screens onto paper forms, where it is combined with other offender information.

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**Commission staff copy electronic information onto paper forms for tracking and reporting.**

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According to our review of commission forms, information from the department accounts for about 41 percent of all the data the commission keeps. As Figure 3 shows, approximately 54 percent of the commission's data is generated by the commission itself. Another 2 percent of the needed information is taken from other sources, such as the Bureau of Child Support Operations and the Idaho Law Enforcement Tracking System. Approximately 3 percent of the information such as warrants for an offender's arrest and inmate status, may be entered by both the commission and the department.

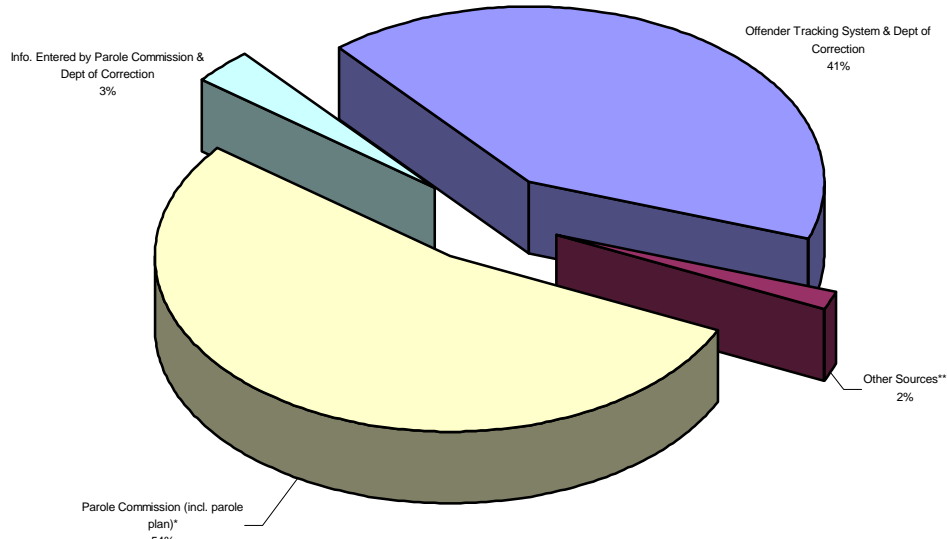
The process of copying electronic information onto paper forms is inefficient and time consuming.<sup>16</sup> For example, commission staff report that it takes three days to manually produce an "action

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<sup>15</sup> This number was calculated from all commission forms provided. In some cases, the commission gathers a portion of this information from department files instead of the offender information system.

<sup>16</sup> Such systems duplicate data entry, resulting in time and resource inefficiencies. Refer to The National Consortium for Justice Information and Statistics, *Integration in the Context of Justice Information Systems: A Common Understanding: A SEARCH Special Report* (2000), 3.

**Figure 3: Data Used by the Commission as of April 2001, by**



\* Note that some parole plan information may be completed by department staff.

\*\* Sources include the Bureau of Child Support Operations and the Idaho Law Enforcement Tracking System.

Source: Documents and information from Commission of Pardons and Parole staff and Department of Correction Information Services staff.

taken list” from information they put into the Offender Tracking System and then extract in this way.

Also, commission staff spend time manually verifying information available on the Offender Tracking System, because they do not trust the accuracy of all the information gathered from this source. According to commission staff, in the past, they found mistakes in sentencing information and experienced inconsistencies in data across system modules. As a result, commission staff verify sentencing information. They obtain all relevant Judgment and Conviction Orders and may further investigate other information, consulting Department of Correction records and staff. Department staff acknowledged that errors have occurred on the Offender Tracking System, although both department and commission staff told us the quality of data has improved over the past year. Nonetheless, commission staff continue to verify information. This verification process takes time, and, according to commission staff, can impede timely release.

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**Commission staff manually verify information available on the department’s automated system.**

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**Currently, the department's automated system has unused parole-related capacity.**

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In addition, the commission has not used the Offender Tracking System to its available capacity. At present, the commission enters 12 fields in the Offender Tracking System and another 1 may be entered by either the commission or the department. However, another 9 already established fields remain unpopulated. According to commission staff, they have not used 2 of the 9 fields because the entry options are not up to date. They were unaware of the remaining 7 fields. Most of these 7 fields are set up to capture information similar to what the commission summarizes by hand, although defined differently.

Further, the Department of Correction's Offender Tracking System does not provide all the data fields and tables the commission needs to eliminate the hand recording of information. For instance, there are no fields that record whether hearing officer recommendations were followed, if the offender is a graduate of a residential substance abuse treatment program, or if the offender is parole eligible within six months of incarceration.

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**The failure to adequately integrate data systems limits information sharing and may pose a number of risks.**

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Finally, the commission's hand-kept data management system inhibits an integrated, shared system between the Commission of Pardons and Parole and the Department of Correction. Experts have noted that hand-written data systems limit the ability to share information.<sup>17</sup> Further, a system that is not integrated between agencies is inconsistent with Phase Three of Idaho's Information Technology Resource Management Council's (ITRMC) Statewide Information Technology Plan, which sets out a goal for agencies to "develop a uniform database management scheme that allows agencies ready access to the collected knowledge base."<sup>18</sup> Further, public safety agencies that are not integrated through a shared electronic data system may jeopardize public safety, duplicate data entry, contain untimely data, lack querying ability, increase paper-handling costs, and decrease response times.<sup>19</sup>

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<sup>17</sup> The National Consortium for Justice Information and Statistics, *Integration in the Context of Justice Information Systems: A Common Understanding: A SEARCH Special Report* (2000), 3.

<sup>18</sup> Idaho Information Technology Resources Management Council, *IT Plan*, (visited 3/30/01) <[http://www2.state.id.us/itrmc/stateplan/it\\_plan.htm](http://www2.state.id.us/itrmc/stateplan/it_plan.htm)>, 3.

<sup>19</sup> The National Consortium for Justice Information and Statistics, Case Study Series, *Colorado Integrated Criminal Justice Information System: Project Overview and Recommendations* (Fall 2000/Winter 2001), 6–7.



## **Recommendations:**

In each of the seven states we interviewed about their parole data management systems, the parole boards and commissions maintain their data electronically and run reports as needed from their automated systems.<sup>20</sup> To address the problems identified in the commission's data management system:

***We recommend the Commission of Pardons and Parole use the unpopulated parole hearing data fields in the Department of Correction's offender information system to store and retrieve data.***

As noted above, 9 of the 22 (41 percent) parole-related fields the commission could enter into the Department of Correction's Offender Tracking System are unpopulated and are available for data storage and retrieval.<sup>21</sup> These fields could be used to automate additional hand-kept data and, given the additional changes recommended below, further expand the information available for analysis and reporting. The commission's use of the fields would require the commission and department to work together to define the parameters of these fields to their mutual satisfaction, as at present, the department and commission have incompatible definitions for most of the fields.

Further:

***We recommend the Commission of Pardons and Parole obtain electronic downloads of needed data from the Department of Correction's offender information system.***

As noted, the commission manually records all summary data from the Offender Tracking System, including department data and data it originally put into the system, for further use. However, with the department's cooperation, the commission could receive the needed information from the Offender Tracking System in an electronic format.<sup>22</sup> According to our estimates, this would result in over half of the information the commission uses being available to them in electronic format for analysis and reporting.

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**With the department's assistance, the commission should more fully and efficiently use the department's automated system.**

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**Up to half the commission's data system needs could be met with data downloads from the department's system.**

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<sup>20</sup> The seven states were: Colorado, Florida, Montana, North Carolina, Nevada, Oregon, and Utah.

<sup>21</sup> Note that each of these 22 fields contains numerous options for entry.

<sup>22</sup> In reviewing this issue with Department of Correction officials, they voiced willingness and interest in working with a data expert at the Commission of Pardons and Parole to improve overall data management.

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**The commission should hire an IT professional to address the several data system problems.**

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Although this change would dramatically improve efficiencies, the commission does not currently have the needed staff skill to work with the electronic downloads it could receive. Therefore:

***We recommend the Idaho Commission of Pardons and Parole hire an information technology professional.***

Currently, the Commission of Pardons and Parole has 18 full-time staff positions. This includes hearing officers, administrative support, and management staff, all of which have limited technical responsibilities or expertise. An information technology professional could retrieve, manipulate, and analyze information for the commission's use, ensure the integrity of the data, increase the commission's reporting capacity, and improve use of other staff resources. Further, as explained below, the employee could be responsible for communicating data issues and concerns to the Department of Correction to improve overall communication and collaboration efforts.

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**Given the immediacy of the need, using a newly-funded position could be considered.**

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According to data from the Division of Human Resources, the annual salary and benefits for the needed position, if set at policy level, range from \$50,516 to \$60,119. Given the urgency of the commission's need and the department's willingness to assist as possible, decision-makers could consider using one of the commission's three newly-funded positions for fiscal year 2002 to fund a new information technology employee. The new positions were funded at an average of \$57,433, including salary and benefits. As early as July 2001, the commission could hire an information technology professional, who, once operational, would improve overall agency efficiency.

Finally:

***We recommend the Commission of Pardons and Parole automate the remaining data it maintains by hand in a manner consistent with downloaded data from the Department of Correction.***

The commission could create its own database for the remaining data, which could be combined with the information downloaded from the Offender Tracking System. This would allow commission staff to generate comprehensive reports on offender status and related commission activity. It would dramatically decrease the time spent tracking and summarizing data by hand, increase overall efficiency, reduce the number of forms

maintained, and help reduce data quality concerns. In addition, automation of all the data would make the system less reliant on key individuals. It would, however, require staff training in effective use of an in-house data system.

Going one step further, the commission could work with the Department of Correction to create fields for automating the remaining data in the offender information system. This would allow the commission and the department to share all parole-related data, improving overall system integration. According to department data system staff, the Offender Tracking System has adequate capacity to add the commission's remaining hand-kept data. However, it would require additional investment of department programming resources to get the data fields and tables established.

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**The rest of the commission's data should be automated, whether internally or through the department's offender information system.**

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## **COMMISSION-DEPARTMENT INTERACTION**

### **Weak Communication About Data Needs Between the Commission and the Department Has Contributed to Data Management Problems**

We reviewed the purposes of, and the commission's participation in, the Department of Correction's End User Steering Committee and Management Information System Committee, the primary formal mechanisms available to communicate data system needs among users of the department's offender information system.

We found:

- **The Commission of Pardons and Parole has not effectively used the formal mechanisms available to communicate its data management needs to the Department of Correction.**

According to its bylaws, the End User Steering Committee was established to represent information technology users in making decisions about the Department of Correction's offender information system, review project requests related to the system, and address concerns with application development and software installation. The committee meets monthly at a regularly scheduled time and is the primary mechanism for communicating data system issues to those who are able to make needed

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**Department information technology committees hear and address data system users' concerns and requests.**

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**Commission attendance and representation on the committees and use of other formal mechanisms to address data needs has been limited.**

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changes.<sup>23</sup> Each department division and the Commission of Pardons and Parole is allowed membership on the committee and may name an alternate representative.

The Management Information System Committee is comprised of management level personnel and is the formal mechanism to review and prioritize End User Steering Committee project recommendations. When deemed appropriate, the Management Information System Committee may present proposed projects to the Board of Correction for its review and approval.

Since September 1993, a commission representative has attended 41 of 55 (75 percent) of the End User Steering Committee meetings.<sup>24</sup> Since March 1996, a commission representative has attended 12 of 41 (29 percent) of the Management Information System Committee meetings. On 7 of the 12 occasions, a hearing officer, rather than the executive director, represented the commission at these meetings, limiting the commission's ability to contribute to management decisions related to the Offender Tracking System.

Further, although the End User Steering Committee bylaws allow the commission to have at least one representative and one alternate member, the minutes do not reflect that an alternate ever attended a committee meeting. Additionally, to date, commission representation on the End User Steering Committee has been limited to hearing officers, rather than commission administrative personnel who represent the primary end-users of the department's offender information system.

Yet, end-user input is critical to development of an information management system that meets the needs of those actually using the system. A case study of the Colorado Integrated Criminal Justice Information System concluded that end users can provide valuable feedback on software and hardware functionality,

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<sup>23</sup> Project request forms are another formal means of communicating data system needs. System users must submit substantial project proposals on these forms, along with estimated costs and staffing. We found no evidence that the commission had ever submitted one of these forms.

<sup>24</sup> However, according to department and commission officials, participation in these meetings was often time consuming for the commission's executive director. As a result, officials agreed the department would notify the commission's executive director of pertinent agenda items in advance.

develop solutions to problems, and suggest cost-saving measures prior to implementation and automation of a system.<sup>25</sup>

Therefore:

***We recommend the Commission of Pardons and Parole improve participation in the End User Steering Committee and the Management Information System Committee.***

Improving the commission's involvement in these meetings would improve its ability to have its data concerns addressed. Specifically, the commission should send an administrative end-user, well-versed in the commission's data management needs, to End User Steering Committee meetings. Should the commission hire an information technology professional as recommended above, that individual should attend the meetings, with an alternate named within the agency. Also, the executive director should be the primary representative on the Management Information System Committee, accompanied for a time by the information technology professional.

Similarly, we found:

- **Lack of effective communication about data between the Department of Correction and the Commission of Pardons and Parole has contributed to difficulties in adequately integrating data systems.**

When asked why they had not taken full advantage of the mechanisms available to communicate data management, commission staff and officials told us that their input had not been listened to for several years. As a result, they "gave up" trying to resolve many of their data needs through formal communication with the Department of Correction. The executive director added that she had made a detailed but informal request for department assistance in improving the commission's data management system in 2000, but that it was turned down due to lack of needed resources.

We reviewed available minutes from both committees' meetings for the last nine years and learned that most of the requests the

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**The commission should improve participation in the information technology committees.**

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**Commission officials told us they had made limited effort because the department did not seriously consider their data system needs.**

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<sup>25</sup> The National Consortium for Justice Information and Statistics, Case Study Series, *Colorado Integrated Criminal Justice Information System: Project Overview and Recommendations* (Fall 2000/Winter 2001), 8.

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**Yet minutes show that during 1996–2001, the committees acted upon and resolved about 73 percent of commission requests.**

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**Lack of effective communication has limited data system integration, although integration is an important trend nationally.**

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commission brought to the committees were addressed. On 11 occasions between September 1996 and January 2001, the commission representative to the End User Steering Committee brought data management requests to the attention of both that committee and the Management Information System Committee. Of those 11 requests, 8 were acted upon and resolved.<sup>26</sup> The information management requests ranged from Internet and e-mail access, acquisition of Windows 95, to the automation of some reports. However, the commission made no formal system requests of the committee, and we did not find any reference to either committee considering commission needs that would have resulted in a more integrated system not reliant on hand-kept information.

Recently, there was little communication between the commission and the department at a time when further system integration could have been considered. Between July 2000 and March 2001, commission participation in the two committees' meetings was 33 percent (four of nine End User Steering Committee meetings and one of six Management Information System meetings). This was a critical period, as discussion in both committees focused on the department's potential acquisition of a new offender information system. On the other hand, the department did not use other avenues to solicit input from the commission until after the decision had been made to pursue the Utah system.

Yet, data systems that can communicate across the corrections and parole functions are desirable, and appear to be the trend nationally. According to the National Institute of Corrections, approximately 70 percent of state departments of correction surveyed have or are discussing plans to develop integrated systems.<sup>27</sup> Further, the National Consortium for Justice Information and Statistics concluded that integration "encompasses a variety of functions designed to enable the timely and efficient sharing of information within and between agencies." The consortium's recent report added that the goal of an integrated system is to reduce duplicative data entry, which is inefficient and weakens data quality.<sup>28</sup>

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<sup>26</sup> Many of these requests were brought to these committees during a 24-month period when a commission representative chaired the End User Steering Committee.

<sup>27</sup> United States Department of Justice, National Institute of Corrections, *MIS Systems in State Prisons: Special Issues in Corrections*, LIS, Inc. (1999), 6.

<sup>28</sup> The National Consortium for Justice Information and Statistics, *Integration in the Context of Justice Information Systems: A Common Understanding: A SEARCH Special Report* (2000), 3.

Therefore:

***We recommend the Commission of Pardons and Parole and the Department of Correction improve communication about data needs to allow for improved system integration.***

Further system integration could improve data quality and benefit both the commission and the department, given the interdependence of the two agencies' roles. Increased commission participation in the End User Steering and Management Information System Committees, as recommended above, should help. In addition, according to the commission's executive director, communication with the department regarding data management has recently improved. Nonetheless, additional steps may be needed to address the lack of communication between the two agencies. We learned of one state that mandated communication between corrections and parole agencies to ensure a functionally integrated system.<sup>29</sup> At a minimum, the commission's data needs should be fully considered in the development of any new offender data system.

### **The Department's Proposed New System Will Not Meet More of the Commission's Data Needs**

According to the department grant applications, the acquisition of the offender information system currently in use in Utah would expand the present offender information system's capabilities, allow the sharing of offender data with other states, provide wireless connections to the system for probation officers in the field, and allow for the sharing of costs with other states for system improvements. Among other things, department staff believe the Utah system would improve the department's system with an upgrade to the existing database and a new front-end interface. The grant applications specified anticipated costs of \$1.8 million to acquire this system.

At its March 14 meeting, the Joint Legislative Oversight Committee posed questions as to whether the Utah system could address the commission's data management needs and the extent to which alternatives to this system had been considered.

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**Better communication could improve data sharing.**

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**While the department's proposed new system would expand overall capabilities, it would not meet more of the commission's needs.**

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<sup>29</sup> FLA. STAT. ch. 9-20.315 (11) (2000).

We reviewed the commission's data and data management needs and compared those to the Department of Correction's current offender information system and the capabilities of the new system the department proposed to acquire.

We found:

- **In terms of meeting the Commission of Pardons and Parole's data management needs, the Department of Correction's proposed new offender information system is essentially the same as the department's current system.**

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**The proposed new system is testing a "parole module" which could increase its parole-related data capacity in the future.**

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In its present state of development, the proposed new offender information system would not enhance the commission's data management capabilities, and may, in the medium-term, be less advantageous to the commission. As is, the new offender information system includes roughly the same commission-related information currently on the department's Offender Tracking System. However, as of June 2001, the department's Offender Tracking System is expected to have incorporated a number of additional pieces of information needed to develop parole plans. Because the proposed new system does not at present have this capacity, the Offender Tracking System could be more advantageous to the commission in the medium-term. On the other hand, the Utah Department of Correction is testing a "parole module" which, if successful, may be acquired at a future date to supplement the system's parole-related capacity.

## **THE DEPARTMENT'S PROPOSED ACQUISITION OF A NEW SYSTEM**

### **The Department's Acquisition of a New System Requires Continued Review**

To respond to the committee's questions regarding the department's reasons for pursuing the "Utah system," the extent of their research into the system, and potential costs, we reviewed copies of the two grant applications the department submitted to federal agencies for funds to acquire the Utah system, spoke with department staff who developed and submitted the applications and other department officials, and reviewed the details of agreements with other states.



We found:

- **The Department of Correction risked system setbacks due to legal barriers and cost overruns in acquiring the offender information system as proposed.**

In October 2000, the department submitted a grant application to the United States Department of Justice and in March 2001 the department submitted a second application to the United States Department of Commerce. The applications proposed essentially the same effort: the acquisition of the Utah offender information system.<sup>30</sup>

However, our research has shown that at the time it submitted each grant application, the department was unaware of the Utah system's capacity. Neither application included system specifications to describe the system the department hoped to acquire.<sup>31</sup> In fact, department staff are still researching the Utah system's capabilities and how Idaho's information management business practices compare to those of Utah. Furthermore, questions remain regarding the system's compatibility to Idaho's current modules.

In addition:

- Both grant applications emphasized the importance of integrating and standardizing data and sharing costs of further module development with other western states, although agreements of this nature are complicated and have not been put into writing.<sup>32</sup> Currently, 4 of 12 western states (one of which is contiguous to Idaho) use some form of the Utah system. However, specifics as to how Idaho would share data and communicate with the other states were not spelled out in

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**When the funding requests were submitted, the department was not fully aware of system capabilities.**

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**Proposed agreements for inter-state cost- and data-sharing are complicated and have not been formalized.**

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<sup>30</sup> The first application was not selected for funding while the second application is still undergoing review. Key differences in the proposals are that the first required \$174,505 in state matching funds, while the second requires \$1,411,299. Also, the first proposed five new full-time employees, while the second proposes three.

<sup>31</sup> According to grant review comments, the application also lacked an explanation of system security measures and a description of the effectiveness of the Utah system.

<sup>32</sup> Regional consortia are emerging as an avenue to collaborate in meeting corrections data systems' needs. See Peterson, Shane, "The Internet Moves Behind Bars," *Government Technology*, April 2001, Supplement: Crime and the Tech Effect, 4–12.

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**The department did not formally review other system options.**

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the applications. Further, the details of the cost-sharing arrangements have not been clearly defined, and the commitment from participating states has not been formalized.

- The cost of goods and services was not finalized. For example, department officials told us that the cost of purchasing the source code for this system from Utah would be either \$600,000 or \$650,000, and up to four times this amount if it had to be purchased from the system developer. As noted below, it is unclear from whom the system will be purchased.

Finally:

- Department staff indicated they had not performed any formal comparative analysis of other states' systems, even though such a review would allow for comparison of system capabilities, function, and cost.
- According to Board of Correction meeting minutes, the board has not yet reviewed or approved the cost-benefit analysis, business plan, or comparable state information that it requested from the department in considering the acquisition of the Utah system.

In addition, we found:

- **The Department of Correction appears to have underestimated project costs, although offender information system costs are difficult to project.**

We reviewed budget information included in the grant applications as well as a limited cost-benefit analysis the department provided related to acquisition of the Utah system. These sources did not provide sufficient information to determine the cost of the system or anticipated ongoing annual costs. In fact, additional costs were not fully accounted for. For example:

- The department may have significantly underestimated training costs associated with the new and increased number of system users. According to the Colorado Department of Correction, the cost of training one programmer on Utah's front-end application was about \$6,800, whereas the department grant applications estimated the cost at \$2,000 per programmer. Further, New Mexico pays \$120,000 per year to

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**The cost of the system is still unknown, although several cost components appear to be under-estimated.**

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**Programmer training costs may be more than three times the department's estimate.**

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the system developer for training and other system maintenance costs, while neither grant application included ongoing training costs. Also, neither the cost-benefit analysis nor the grant applications included costs associated with in-house training for 60 new system users at department institutions and 57 probation officers in the field.

- Costs for the development of new modules have not been addressed. According to an official in New Mexico, which acquired the Utah system in 1998, its correction department recently requested \$875,000 for fiscal year 2002 to develop several new modules and to upgrade others. A New Mexico staff member told us that any modules New Mexico developed would be available to Idaho at no cost. However, to date, no agreement has been created by either state detailing the terms, conditions, or costs of such an arrangement.
- The costs of converting some modules to a web-based format, a direction department staff and officials have indicated they intend to go, have not been examined.<sup>33</sup>
- The department has not specified plans for the \$328,699 the first grant application listed as on-going annual costs beyond the life of the grant (two years). Eighty-five percent of these costs were for personnel and the remaining fifteen percent were for technical maintenance.

Nonetheless, the costs of offender information systems appeared to vary greatly among the states interviewed.<sup>34</sup> Comparable costs were difficult to determine because some systems were created many years ago, had undergone frequent upgrades, or the states' financial reporting capabilities were limited. Colorado reported recently spending \$2.8 million to create an information management system for their field probation officers and will spend approximately \$1.2 million for an upgrade to its current

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**The department has not accounted for system upgrade costs and additional on-going expenses.**

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**Offender information system costs vary greatly and comparable costs are hard to determine.**

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<sup>33</sup> Experts have stated that offender management software can no longer be based on offender "tracking" and has therefore moved toward a web-based technology. One expert cautioned that it is too difficult to adjust old systems to reflect the new ways of managing offenders. See Peterson, Shane, "The Internet Moves Behind Bars," *Government Technology*, April 2001, Supplement: Crime and the Tech Effect, 4–12.

<sup>34</sup> We interviewed managers and information technology staff from Colorado, Florida, Montana, Nevada, North Carolina, Oregon, and Utah. We also spoke with representatives from Arizona, New Mexico, and Wyoming, who provided additional information on training and training costs.

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**To avoid cost overruns and system setbacks, the department should more fully research the proposed new system.**

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database system.<sup>35</sup> Florida reported spending \$3 million for its system in 1982 and an additional \$1.2 million in 1999. Utah officials told us they spent \$6 to \$9 million, including training costs, to develop its current system. Montana officials told us they are developing a new system in-house to replace an outdated system. They are doing it module by module and report that it will cost under a \$1 million dollars total, but will take four years to complete and implement.

Without additional research, the department risked system setbacks due to legal and cost barriers. When asked about the lack of specificity in their grant applications, department officials explained that the first application had been rushed through to take advantage of the funding opportunity.<sup>36</sup> Further, department officials said it was difficult to move too much further toward acquiring a new system without a funding source. However, once received, federal grants require adherence to the terms as proposed.

To ensure department officials and other decision-makers are adequately informed:

***We recommend the Department of Correction more fully identify all system-related costs, system capabilities, and related inter-state sharing agreements.***

The department's review should clarify the system's capacity, provide a thorough analysis of system costs and benefits, develop a plan to address annual on-going costs, and ensure system-sharing agreements with other states. Department officials have indicated they are working to more fully review these and other aspects of the Utah system.

## **Legal Authorization Will Be Needed to Acquire the Utah System and Related Services**

We examined the Department of Correction's two grant applications for the acquisition of the Utah system and contracts for services between the information system developer and the

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<sup>35</sup> As part of the \$2.8 million, Colorado spent \$400,000 to purchase the source code for Utah's Field-Track System.

<sup>36</sup> The department submitted essentially the same application to a different funding source five months later.

states of Utah and Alaska. We also contracted with outside legal counsel for analysis of relevant federal and Idaho law and the department's proposed purchase.

We found:

- **For the Department of Correction to acquire the Utah system and related services, the Department of Administration would have to authorize an exception to competitive bidding requirements.**

Department officials believed their pursuit of the Utah system (as evidenced by its grant applications) was exempt from competitive bid requirements. When asked about the purchase approval process the department had followed, agency staff told us they had contacted the Division of Purchasing in the Fall of 2000 and were told that it would not be necessary to competitively bid because the department's intent was to purchase the system from another state.

However, Idaho purchasing law does not provide an exception for purchases from another state.<sup>37</sup> In fact, Idaho Code mandates that the Division of Purchasing acquire all property and services for the Department of Correction by competitive bid unless excepted, and none of the exceptions are for purchases from other states.<sup>38</sup> Of the nine exceptions found in administrative rule, only two might apply to this situation: a determination that an information system could be acquired through only one source ("sole source" exception) or a determination that competitive bidding is impractical, disadvantageous, or unreasonable under the circumstances ("other circumstances" exception).<sup>39</sup> For either of these two exceptions to apply, the Division of Purchasing and the director of the Department of Administration must find that the competitive bid process is not justified for the acquisition of the system and related services. In turn, this finding requires the

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**The purchase of the Utah system without competitive bidding would require an exception to competitive bidding requirements.**

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<sup>37</sup> IDAHO CODE § 67-5717 (Supp. 2000). In addition, federal law requires grant recipients to comply with applicable state purchasing laws. 28 C.F.R. pt. 66 § 36 (2000). Guidelines governing submission of grant applications also direct state applicants to meet applicable state purchasing requirements. Also, while the Idaho Joint Powers Act enables the state and its agencies to cooperate to their mutual advantage to provide services and facilities to each other, it does not apply in this case.

<sup>38</sup> IDAHO CODE § 67-5717(1) (Supp. 2000) and IDAHO CODE § 67-5717(2) (Supp. 2000).

<sup>39</sup> IDAHO ADMIN. CODE, March 20, 1997, Vol. 8, IDAPA 38.05.01.051.

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**The department should involve the Division of Purchasing to ensure purchasing laws are followed.**

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Department of Correction to describe its offender information system requirements in detail. As noted above, however, the department has not yet developed detailed written specifications for the acquisition of a new offender information system.

Further, under state purchasing law, the department would either have to solicit competitive bids for the system programming support cited in the grant applications or obtain a separate exception from the competitive bid process. Although the grant applications specified a provider for system programming support, it gave no evidence that the provider identified was the only one able to provide the services. Again, the department would have to document its justification for the Department of Administration to consider an exception from the competitive bid process.

Therefore:

***We recommend the Department of Correction work closely with the Division of Purchasing to ensure all purchasing requirements are adhered to.***

When we brought these matters to the attention of department officials, they assured us they intended to work closely with the Division of Purchasing and fully comply with purchasing law and regulations.

Further, we found:

- **It is unclear whether Idaho's Department of Correction can legally acquire the Utah system as proposed.**

In its grant applications, the department indicated that it intended to purchase the offender information system from the State of Utah. However, we learned from the system's private developer, and substantiated through a review of contracts between the developer and the Utah Department of Corrections and the State of Colorado, that any payment for this system would be directed to the developer. This stream of payment raises a question as to who is indeed the vendor.

According to the contract between the system developer and the Utah Department of Corrections, the State of Utah owns the software that the Idaho Department of Correction proposes to purchase. Consequently, Idaho would purchase the system from the State of Utah, to which payment would typically be directed.

However, under Idaho law, Idaho could make payment to the system developer, a third party, if Utah assigned the right to receive payment to the system developer and the transaction was approved by the Idaho Board of Examiners.

It is unclear, however, whether such an arrangement would be approved. Further, it is unclear whether the arrangement is allowed under Utah purchasing law. For example, Utah law may require that all funds due the State of Utah be received and deposited into the Utah Treasury, and then be appropriated by the Utah Legislature. In that case, Utah may not have legal authority to assign payment to a third party. As a result, without further review, the Idaho Department of Correction risks undertaking an unlawful acquisition.

Therefore:

***We recommend the Department of Correction confirm, through receipt of a Utah Attorney General's opinion, that the State of Utah has full authority to enter into the proposed transaction.***

Department officials told us that the Utah Attorney General has worked closely with the Utah Department of Corrections on the sale of the information system to other states, and that they have asked for a written indication that Utah law would allow the transactions as proposed.

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**The  
department  
should obtain  
a Utah  
Attorney  
General's  
opinion before  
proceeding  
further.**

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# **Responses to the Evaluations**





# STATE OF IDAHO

## COMMISSION OF PARDONS AND PAROLE

Dirk Kempthorne  
Governor

Olivia Craven  
Executive Director

May 8, 2001

Nancy Van Maren  
Office of Performance Evaluations  
Idaho State Legislature  
P.O. Box 83720  
Boise, Idaho 83720-0055

RE: Commission of Pardons and Parole:  
Data System  
IDOC Offender Information System

Dear Ms. Van Maren:

I have read the "evaluative review" of the Commission's data system and its interaction with the Department of Correction offender information system which was conducted by your office. Three (3) of the Commissioners were also provided copies.

Even though the evaluation is somewhat critical of the issues audited, I appreciate the critique of this system. Through this process, I do believe that some of the problems with this system have been identified, and there is already progress being made to address some of the concerns. Maintaining data in multi-use forms for easily accessible information for use by the Commission, the Department of Correction, the Governor's office, Legislature, and others is very important.

However, the needs of the Commission regarding hearings has been the top priority of my office. Several years ago, we made the decision to build a hearing officer program in order that the Commissioners would have the most comprehensive information with which to make their decisions. We simply could not continue with the process we had and still must use in the eastern and northern institutions. The hearing officer program has allowed the Commissioners to spend a fraction of the time preparing for hearings, and yet have better information with which to make decisions. Another need of the Commission staff, is a Deputy Director. Currently, there is no "second in command" to relieve the executive director of certain duties and to provide much-needed backup. Our focus has been to carry out our main function of parole consideration.

Because of the above-stated needs, we have not requested additional money for information technology. I have visited the state of Utah to look at their information system. This system, although the parole board module is not finished, appears to address many of the concerns about Idaho's current information system. The Utah system allows for information to be used in multiple ways, with much information having to be entered only once. The probation and parole supervision system is especially impressive. We met with the designer of the system, and I have little doubt that the system can be modified easily to accommodate our system. I believe that much of the information I have maintained outside of the computer information system, is not information that most other parole board systems track. One feature that would be very useful with the Utah system, is the ability for electronic signatures; mailing of original parole release contracts could be eliminated, resulting in fewer days lead time for the release of inmates to parole.

Much of the information that we currently maintain by "hand-kept" records, is because we needed to know this information. Additionally, my staff and myself have had to check the correctness of court orders when releasing an inmate to parole. This has added additional time to this process. However, prior to our checking court orders as a normal function of the release process, two (2) inmates were released who were not yet eligible for release to parole. We were able to correct these mistakes; however, had either of those inmates hurt someone, the state would have been in a position of liability. Part of my responsibility is to make certain that releases are correct by law. I am hopeful that the Commission and Department of Correction can develop a certification process which would be more efficient.

I will briefly address the recommendations of this report:

**"We recommend the Commission of Pardons and Parole use the unpopulated parole hearing data fields in Department of Correction's offender information system to store and retrieve data."**

The information technology office of the Department of Correction has been working with the Commission staff regarding certain reports that could use information we put into the information system. They are developing two (2) reports of actions taken which will relieve my staff of much time they have been spending to develop these reports. We have asked for meetings to discuss fields in the current system not currently being used that we could utilize for information currently kept by hand.

**"We recommend the Commission of Pardons and Parole obtain electronic downloads of needed data from the Department of Correction's offender information system."**

We are working with the Department of Correction to be able to obtain information in a useable format for our needs.

**"We recommend the Idaho Commission of Pardons and Parole hire an information technology professional."**

As previously stated, the decision was made to hire hearing officers to assist the Commission by providing better information in a standardized format. The three (3) new employees approved for the Commission for this fiscal year (one hearing officer, one victim coordinator, and one sentencing specialist), are needed per our request. The new hearing officer position is necessary to do hearings for out of state inmates. Many of the women inmates have been moved to a private facility in New Mexico. The Commission can conduct their hearing by telephone with the inmate, as long as they have had a hearing officer conduct a complete interview and investigation with the inmate. The victim coordinator position is necessary to provide complete victim services. The third position is necessary for the hearing process; even with information system efficiency, that employee is needed to assist with the hearing process. I will be requesting an information technology professional in the next budget request. Our needs for hearing officers and a deputy director are still of major importance. Brad Alvaro with the Department of Correction information system has agreed that they can provide more assistance to Commission needs.

**"We recommend the Commission of Pardons and Parole automate the remaining data it maintains by hand in a manner consistent with downloaded data from the Department of Correction."**

We are working with the Department of Correction toward the goal of being able to obtain information already in the computer system in a useable format.

**"We recommend the Commission of Pardons and Parole improve participation in the End User Steering Committee and the Management Information System Committee."**

We have maintained a staff member on the End User Steering Committee (EUSC). Based upon information this audit revealed, there is an appearance that we have not participated fully in this committee. We do have an alternate for the Committee, and we will make certain that the minutes reflect who the alternate is. We will be very careful that the minutes reflect who attended and any discussion regarding Commission issues and needs. The Management Information System Committee (MIS) has been more informal; the managers/administrators make decisions based upon the recommendations from the EUSC. It has not been possible for me to attend all of the Management meetings. The Department administrators agreed to advise me of issues coming before the committee, so I could determine our level of participation. The administrators and I have discussed this issue as a result of this audit; I will make certain that if I am unable to attend meetings, someone from my office will attend.

**"We recommend the Commission of Pardons and Parole and the Department of Correction improve communications about data needs to allow for improved system integration."**

May 8, 2001  
Office of Performance Evaluations  
RE: Data System/IDOC Offender System

The Department of Correction and the Commission must share information – our systems are interrelated and have to be integrated. This has not always been the case, but we are both committed to removing barriers, and increasing communication and efficiency. In light of the new program initiatives sponsored by the Governor and supported by the Legislature, it is even more important for the Commission and Department to have the same information. As noted in the audit report, a new parole plan/release module will be on-line within weeks. This module will replace an antiquated paper system requiring mailing of parole plans for investigation by FCS, and finally to the Commission for release. This was a project of concerted effort by the Department and Commission staff, which took a long time to develop. I am very confident that any past communication problems regarding the sharing of information and development of data reports, has been resolved.

I appreciate the opportunity to respond to this audit report.

Sincerely,

Olivia Craven  
Executive Director

A handwritten signature in cursive script, reading "Olivia Craven".

C:/mydocs/misc/nvm.audit.501



# IDAHO DEPARTMENT OF CORRECTION

**DIRK KEMPTHORNE**  
GOVERNOR

**RALPH D. TOWNSEND**  
CHAIRMAN, BOARD OF CORRECTION

May 8, 2001

Nancy VanMaren  
Office of Performance Evaluations  
700 W State Street, Suite 10  
PO Box 83720  
Boise, ID 83720-0055

Dear Ms. Van Maren:

We appreciate the opportunity to respond to the Office of Performance Evaluation's review of the Commission of Pardons and Parole. The missions of the Department of Correction and the Commission require cooperation and communication in order to facilitate the successful rehabilitation of offenders. OPE recommends the Department and the Commission improve communication to facilitate improved system integration.

Our Department is committed to partnering with the Commission in an effort to reduce offender recidivism. A Commission staff member chaired our End User Steering Committee for approximately two years. We understand that both groups need data to evaluate and manage the success of given programs.

Our staff will continue to work closely with the Commission's representative to the End User Steering Committee. We believe we can address the Commission's data needs in the short term. Our Research and Analysis Bureau and Information Services Bureau are committed to working with Commission staff to address their needs.

The Department and the Commission's long term needs can be addressed most economically by procuring a system which focuses not only on tracking offenders but also on offender management. Our system does have the capacity to automate the Commission's data, but the Department would have to dedicate significant time and resources to accomplish this task. We would still need to enhance our system in the following areas: medical, counts, assessments, case plans, programs, etc. (see attached).

The end user group recognizes these shortcomings. In order to successfully initiate the Governor's Initiative, we need a system that can be used as an effective tool to manage

and evaluate the success of programs. A comprehensive offender management system would also be a valuable tool for the Commission in making parole decisions.

Our staff estimated the time and associated costs of upgrading our system to meet the needs of the Commission and IDOC. The cost of the medical module alone was over \$900,000. The full upgrade of our system would take over five years if done internally by our IT staff. Management believes that time frame negatively impacts our ability to manage inmate rehabilitation. Management recommended that our end user group look elsewhere for an alternative to upgrading our system.

Bob Greeves of the US Department of Justice's Office of Justice Programs and IT Policy Adviser to the Deputy Assistant Attorney General recognizes the Corrections Technology Association as a viable solution to costly system enhancements. He has explained the benefit of collaborative efforts among states within a given region. He encouraged states to form collaborative efforts to save money and pool resources. Mr. Greeves said, "It makes little sense for one state to spend, for example, \$20 million on a system and another state to spend an equal amount of money to either develop or buy a system that is essentially the same."

Our Information Services Manager attended the first annual Corrections Technology Association conference last summer. He discussed the shortcomings of our system, the resources and estimated cost of enhancing our system with his peers. On his return from the conference, he met with senior management of Information Services and Field and Community Services to discuss possible partnering with another state to take advantage of new technologies and potentially reduce overall costs.

Information Services, Field and Community Services and some members of the end user group began evaluating potential alternatives to a costly and inefficient upgrade to our system. The State of Utah Director of Information Technology volunteered to provide a demonstration of their new offender management system. Our initial analysis of the Utah System determined that it would be an upgrade from our current system. Utah was also very interested in having Idaho as a partner.

The Department Administrators met with key members of the end user group who recommended we purchase the entire Utah system. The MIS Committee then decided to pursue further analysis and potentially purchase the Utah system. Our end users forwarded meeting minutes and conferred with the Commission's new representative while encouraging the Commission to participate in the analysis. We also recently accompanied Commission staff to Utah to review Utah's system.

We learned the Utah Department of Corrections issued a request for proposal (RFP). Approximately one hundred vendors responded and only four of those responses were under \$12 million dollars. Utah elected to partner with Informix on the development of their system. Utah estimates the current overall cost of their system between \$6 and \$9 million. Utah intends to sell their system to Informix sometime in the summer of 2001.



Due to this fact, we are expediting the review of the system and hope to complete our evaluation of the suitability of the system very soon.

Utah has already partnered with Alaska, Colorado and New Mexico Departments of Correction. The California State Advisory Commission on Cost Control in State Government has recommended that the California Department of Corrections pilot the Utah Offender Tracking System and to co-develop the medical module.

We contacted those states and discussed any issues they encountered with conversion and implementation of the Utah system. All states responded favorably to the association with Utah. For example, Alaska, Colorado and Utah needed a medical module. Development costs of this module are approximately \$1 million, but will be spread between all participants. Thus, if we participated, we would pay \$250,000 for a \$1 million module.

Our FY2002 budget request had already been submitted to the Division of Financial Management (DFM) and the Legislative Budget Office (LBO) when we consulted with both DFM and LBO about the need for a comprehensive offender tracking and management system. A decision was made to seek grant funding rather than to amend our 2002 budget request for the purchase of an offender management system. We had yet to complete our analysis of the Utah System. We would seek authority to spend the federal funds if a grant were received for a system.

We agree with OPE that offender information system costs are difficult to project. We do know that often no two states' needs are the same when it comes to training, conversion of data, development, etc. Grant application deadlines mandated that we submit the first grant application prior to our doing much of an assessment on Utah's system. We understood that we may have had to amend or decline the grant, if awarded, if our assessment concluded that the Utah system would not adequately address the needs of IDOC or would cost more than outlined in the grant application.

We had conducted further assessments prior to the second grant submission. Our IT staff reviewed the costs and believed the estimated costs were adequate based on our knowledge at that point. We hope to complete a comprehensive assessment of the Utah system by mid June 2001. The Commission representative is playing a key role in the assessment of the Utah system.

OPE questions whether our initial grant applications adequately addressed the costs associated with a possible purchase of the Utah system. The Board of Correction has asked for a detailed cost assessment and a project plan before they consider approval of the purchase of any offender system.

Utah has offered to sell the source code to our Department for \$650,000. Our assessment will enable us to determine what we estimate would be adequate costs for

conversion and training. We do believe the overall costs would be significantly less than the six to nine million Utah has invested in the system.

We have been operating under some tight timelines due to the fact that Utah is negotiating a sale of the system to Informix. Once that sale takes place, we would no longer be able to acquire the source code from Utah. Informix estimates the cost of the system to be comparable to Utah's development cost.

We are progressing with our assessment of the Utah system. As noted by Bob Greeves, we believe it is beneficial to partner with a state within our regional area. Utah's correction system is similar in size to Idaho. The Commission has told us that Utah's Pardons and Parole Commission operation is similar to Idaho's. We have also noted other advantages:

1. We can purchase the source code for approximately \$650,000. We can convert our data, train staff and buy additional needed equipment for \$3 to \$6 million less than Utah spent on their system.
2. The Utah system is written in Informix. Our current Information Technology staff are all trained in Informix, thus reducing training costs.
3. The Utah system will run on our current hardware.
4. The Utah system is very intuitive and user friendly.
5. The Utah system addresses the deficiencies in our current system (see attached matrix). The Utah system would also address the deficiency pointed out in OPE's *Alternatives to Incarceration* report dated December 1997 by consolidating our data into one database.
6. Utah is currently upgrading their Parole Commission modules and Idaho's Commission may have input into that process.

We are unaware of any other state system that operates on an Informix database. The retraining of IT staff and the associated learning curve would most likely make other states' systems too costly and the conversion would not occur in a timely manner.

Our intent today, as it has been since the assessment began, is to procure a functional system for the State of Idaho, within the rules and regulations of the Division of Purchasing. We see ourselves as stewards of the taxpayer dollar. If IDOC can procure a system at a fraction of the development costs while partnering with other states to reduce future enhancement costs, we believe that we are fulfilling our commitment to State taxpayers.

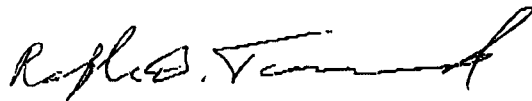
Nancy Van Maren  
May 8, 2001  
Page 5

OPE questions whether Utah law allows the Utah Department of Corrections to sell their source code and/or system. We have conferred with Utah corrections officials on this issue. We were told that the Utah Attorney General's office encouraged the Department of Corrections to sell the system in order to recoup some of the state's costs. The Utah

Department of Corrections has worked closely with all Utah agencies with responsibilities in this area on the sale of the system and/or parts of the system to the states mentioned above. See attached Rule R365-3.

We will continue our assessment of the Utah system. We will continue to work all purchase proposals through the Division of Purchasing. We will also continue to inform the Office of Performance Evaluations of our progress on the assessment of the Utah system or another system.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph Townsend", with a stylized flourish at the end.

Ralph Townsend  
Chairman

## **Rule R365-3. Computer Software Licensing, Copyright, and Control.**

As in effect on September 1, 2000

### **Table of Contents**

- R365-3-1. Purpose.
- R365-3-2. Application.
- R365-3-3. Authority.
- R365-3-4. Definitions.
- R365-3-5. Compliance and Responsibilities.
- KEY
- Date of Enactment or Last Substantive Amendment
- Authorizing, Implemented, or Interpreted Law

### **R365-3-1. Purpose.**

The purpose of this rule is to establish the state's position and its intent to:

- (1) comply with computer software licensing agreements and federal laws, including copyright and patent laws;
- (2) define the methods by which the state will control and protect computer software; and
- (3) establish the state's right, title and interest in state-developed computer software, including its sale and transfer under certain conditions.

### **R365-3-2. Application.**

All state agencies of the executive branch of government shall comply with this rule, which shall apply to all computer software, regardless of the operating environment or source of that software.

### **R365-3-3. Authority.**

This rule is issued by the Chief Information Officer, pursuant to the Information Technology Act, Section 63D-1- 301, and in accordance with the Utah Rulemaking Act, Section 63- 46a-3, Utah Code Annotated, 1953.

### **R365-3-4. Definitions.**

As used in this rule:

(1) "Audit" means audit of compliance with laws, rules and policy applicable to computer software and related documentation; and reporting findings and conclusions.

(2) "Commercial computer software" means computer software which is used regularly for other than Government purposes and is sold, licensed, or leased in significant quantities to the general public at established market or catalog prices.

(3) "Computer data base" means a collection of data in a form capable of being processed and operated on by a computer.

(4) "Computer program" means a series of instructions or statements that permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation and source material that explain how to operate the computer program.

(5) "Computer software" means computer programs and computer data bases.

(6) "State agency" means any agency or administrative subunit of state government except the following:

(a) legislative and judicial branches;

(b) State Board of Education;

(c) Board of Regents; and

(d) institutions of higher education.

(7) "State-developed computer software" means computer software and related documentation developed under contract or under the conditions set forth in the Employment Inventions Act, Section 34-39-1 et seq., Utah Code Annotated, 1953.

### **R365-3-5. Compliance and Responsibilities.**

(1) Each state agency and its employees shall comply with computer software licensing agreements and federal laws, including copyright and patent laws.

(2) Each state agency shall adopt the following practices to control computer software:

(a) Keep and maintain an inventory control listing of all state-owned computer software.

(b) Designate an employee to keep track of all computer software license agreements for a state agency. Each designated employee shall make requests for interpretation of a computer software license agreement to the Chief Information Officer, when necessary.

(c) Provide enough legally purchased copies of computer software to enable all employees to meet management's expectations and reduce any necessity for computer software piracy.

(d) Ensure that all data or computer software is removed from the storage media of any

computer device before disposition or transfer of equipment, unless computer software and related documentation are included as part of the transfer.

(e) Carefully research computer software licensing agreements before purchasing computer software.

(3) A state agency may retain the right, title and interest in any state-developed computer software. To do so, each agency shall:

(a) clearly define who has ownership in all contracts for the development of computer software and related documentation.

(b) mark all computer software and related documentation developed by employees with the copyright symbol, year, and label "Utah State Government", on all media on which the computer software or documentation is stored and also at the beginning of computer software execution.

(4) A state agency may sell or otherwise transfer the right, title and interest in any state-developed computer software as permitted by the State Attorney General's Office Informal Opinion No. 85-65. Such action shall meet the following requirements:

(a) submit a request for approval to sell or otherwise transfer state-developed computer software to the Information Technology Policy and Strategy Committee, through the Chief Information Officer. Included within this request shall be all applicable contractual and other pertinent information.

(b) clearly specify within the transfer documents whether costs associated with copying and sending the state-developed computer software will be recovered from the receiver.

(c) clearly specify within the transfer documents whether costs of development will be recovered from the receiver in the selling price of the state-developed computer software.

(d) clearly specify within the transfer documents that the receiver is responsible for acquiring any commercial computer software upon which the state-developed computer software may be dependent.

(e) clearly specify within the transfer documents that no additional services, such as installation, training, or maintenance, will be provided unless negotiated otherwise.

(f) clearly specify within the transfer documents that the state-developed computer software is being transferred in "as is" condition and that the State will not be held liable for any incidental and consequential damages under any circumstances.

(g) account for funds received as "revenue" (dedicated credits) or a "refund of expenditure," subject to the provisions of Appropriation Control, I-02-02.00 as of 25 January 1988 and Internal Service and Enterprise Funds, I-07 et seq., as of 1 July 1988, State Accounting Policies and Procedures; Budgetary Procedures Act, Section 63-38-3 and 63-38-3.5, Utah Code Annotated, 1953; and the conditions articulated by the Division of Finance Opinion dated March 23, 1992, wherein:

UT Admin Code R365-3: Computer Software Licensing, Copyright, and Control

(i) A state agency enters into a cost sharing agreement with another entity to develop computer software. (Note: In this situation, any collections from the other entity for their share of the cost will be deposited as a refund of expenditure.)

(ii) A state agency develops computer software and then shares the computer software with other entities. (Note: The only costs recovered by the developing agency are those costs to duplicate and distribute the computer software and manuals, which would also be a refund of expenditure. An agency should make sure the expenditure and the refund of expenditure are both recorded in the same fiscal year.)

(iii) A state agency wishes to market its state-developed computer software similar to a commercial enterprise. (Note: The intent is to recover the full cost of developing and distributing the computer software. In this situation the collections for sale of the computer software should be deposited as revenue (dedicated credits) to the agency.)

(h) retain records of sales and other transfers, and process them in accordance with the Government Records Access and Management Act, Section 63-2-101 et seq., Utah Code Annotated, 1953.

(5) A state agency may initiate a "Memorandum of Understanding" when reasons exist to share state-developed computer software with other states or entities. Such agreements shall conform with the provisions of the Utah Attorney General's letter of December 13, 1985, to the Office of Planning and Budget, or other pertinent legal documentation.

(6) The Chief Information Officer shall measure compliance of a state agency and its employees with this rule by conducting a periodic audit in accordance with Section 63D- 1-301, Utah Code Annotated, 1953, and utilizing external auditors and an agency's internal auditor(s) where such resources are available and appropriate.

(7) A state employee who is found to not be in compliance with this rule may be subject to disciplinary action, including dismissal.

## **KEY**

computer software\*, licensing, copyright, control\*

## **Date of Enactment or Last Substantive Amendment**

September 15, 1997

## **Authorizing, Implemented, or Interpreted Law**

63D-1-301; 63-46a-3; 34-39-1 et seq.

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promulgating agency (Governor, Planning and Budget, Chief Information Officer). A list of agencies with links to their homepages is available at <http://www.state.ut.us/government/agencylist.html>.

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Last modified: 09/28/2000 09:29 AM



## Idaho and Utah Modules Comparisons

Module Name	Idaho	Utah
PreSentence Investigations	Yes	Yes
Demographic Information	Yes	Yes
Crime & Sentence Information	Yes	Yes
Offender Photos	Yes (limited)	Yes
Detainers/Warrants/Holds	Yes	Yes
Victim	Yes	Yes
Prior Crime Information	Yes (PSI)	Yes (Class B)
Other Numbers (FBI, SID, etc)	Yes (limited)	Yes
Inmate Classifications		
Security	Yes	Yes
AIMS	No	Yes
Safety (Alerts)		
Medical	Yes	Yes
Cautions (User Defined)	Yes	Yes
Specific Safety Issues	No	Yes
Counts	No	Yes
Inmate Location (Moves)	Yes	Yes
Disciplinary	Yes	Yes
Victim	Yes	Yes
Family Information	1 Member Only	Yes (Unlimited)
Parole Plans (Ftrack only)	Yes	Yes
Assessments	No	Yes
Case Plan (Continuous Plan)		
Program Wait List	No	Yes
Program Placement	No	Yes
Class Schedule	No	Yes
Class Results	No	Yes
Inmate Worker	Yes (Limited)	Yes
Visiting	No	Yes
Incidents	No	Yes
Security Threat Group	No	Yes
Grievances	No	Yes
Chronos (CNotes)	No	Yes
Parole Board	Yes	Yes
Sex Offender Information	No	Yes
File Location	No	Yes
Inmate Banking	Yes	Yes
Miscellaneous Information		
ADA Accommodations	No	Yes
DNA Test	Yes (Alerts)	Yes
Education	No	Yes

Module Name	Idaho	Utah
Employment	No	Yes
Health	Yes (Alerts)	Yes
License	No	Yes
Medications	No	Yes
Military	Yes	Yes
Names (Alias)	Yes	Yes
Privilege Level	No	Yes
Scars/Marks	Yes	Yes
Substances	No	Yes
Cost of Supervision	Yes	Yes
Employment	No	Yes
Risks and Needs	No	Yes
Interstate Compact	No	Yes
Supervision assessment	No	Yes
Case Notes	No	Yes
P&P Financial Information	No	Yes
Client Vehicle Availability	No	Yes
Client Arrest Information	No	Yes
Client Police Contact Info	No	Yes
Probation/Parole Agreement	No	Yes
Substance Tests	No	Yes
Supervision Contact	No	Yes
Travel Permits	No	Yes
Client Workload	No	Yes
Supervision Reports & Letters	No	Yes
Client Appointments	No	Yes
Online Caseload Audit	No	Yes

The End User Steering Committee has assigned each module to a work group for review and has a June 1, 2001 completion date. At this point, they have identified that Utah's inmate banking module is not as comprehensive as Idaho's. We also have concerns with the PSI module, however Utah is in the process of rewriting this module which will address these concerns.

## Performance Evaluations Completed 1997–Present

<u>Pub. Number</u>	<u>Report Title</u>	<u>Date Released</u>
97-01	License Plate Design Royalties Paid to the Idaho Heritage Trust	May 1997
97-02	The Bishop's House Historic Site	July 1997
97-03	Alternatives to Incarceration: Opportunities and Costs	December 1997
98-01	Public School Use of Tobacco Tax Funds	January 1998
98-02	Medicaid Reimbursement for Outpatient Occupational and Speech Therapy	June 1998
98-03	Management of State Agency Passenger Vehicles	October 1998
98-04	Management Review of the Idaho Commission for the Blind and Visually Impaired	October 1998
99-01	The State Board of Pharmacy's Regulation of Prescription Controlled Substances	June 1999
99-02	The State Board of Medicine's Resolution of Complaints Against Physicians and Physician Assistants	October 1999
99-03	Employee Morale and Turnover at the Department of Correction	October 1999
00-01	A Limited Scope Evaluation of Issues Related to the Department of Fish and Game	March 2000
00-02	The Department of Fish and Game's Automated Licensing System Acquisition and Oversight	June 2000
00-03	Passenger Vehicle Purchase Authority and Practice in Selected State Agencies, Fiscal Years 1999–2000	September 2000
00-04	A Review of Selected Wildlife Programs at the Department of Fish and Game	November 2000
00-05	Idaho's Medicaid Program: The Department of Health and Welfare Has Many Opportunities for Cost Savings	November 2000
01-01	Inmate Collect Call Rates and Telephone Access: Opportunities to Address High Phone Rates	January 2001
01-02	Idaho Department of Fish and Game: Opportunities Exist to Improve Lands Program and Strengthen Public Participation Efforts	January 2001
01-03	Improvements in Data Management Needed at the Commission of Pardons and Parole: Collaboration With the Department of Correction Could Significantly Advance Efforts	May 2001

Performance evaluations may be obtained free of charge from the  
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